

#14  
LBJ  
4-6-04

PTO/SB/31 (02-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (Optional)</b> MS1-311US	
<p>I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to the "The Commissioner of Patents, Alexandria, VA 22313-1450, on the below-indicated date. The Express Mail No. has been marked on the listed items. Express Mail No.: ER 622186100US</p> <p>Signature <u>Wendy Saxby</u> Typed or printed name <u>Wendy A. Saxby</u></p>		In re Application of <b>Feinleib</b>	
		Application Number <b>09/433,188</b>	Filed <b>Oct 25, 1999</b>
		For System and Method for Unified Registration Information Collection	
Group Art Unit <b>2155</b>		Examiner <b>NGUYEN, THU HA T</b>	
<p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <b>\$ 330.00</b></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>12-0769</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record.</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) <u>38,222</u></p> <p><b>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</b></p> <p><input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/433,188	
	<b>Filing Date</b>	Oct 25, 1999	
	<b>First Named Inventor</b>	Feinleib	
	<b>Group Art Unit</b>	2155	
	<b>Examiner Name</b>	NGUYEN, THU HA T	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	MS1-311US

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) Sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<b>Remarks</b>		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	David S. Lee
Signature	<i>Handwritten signature</i> Reg. No. 38,540 for David S. Lee
Date	3/18/04

<b>CERTIFICATE OF EXPRESS MAILING</b>			
I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to The Commissioner of Patents, Alexandria, VA 22313 on the below-indicated date. The Express Mail No. has also been marked on the listed items. Express Mail No. ER622186100US			
Typed or printed name	Wendy A. Saxby	Date	3/18/04
Signature	<i>Handwritten signature</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 330.00

## Complete if Known

Application Number	09/433,188
Filing Date	Oct 25, 1999
First Named Inventor	Feinleib
Examiner Name	NGUYEN, THU HA T
Art Unit	2155
Attorney Docket No.	MS1-311US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
12-0769

Deposit Account Name  
Lee & Hayes, PLLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)	
1806 180	1806 180	Submission of Information Disclosure Sheet	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 330.00

## SUBMITTED BY

Name (Print/Type)	David S. Lee	Registration No. (Attorney/Agent)	38,222	Telephone	(206) 315-4001
Signature	<i>David S. Lee</i>			Date	3/18/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit for the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Paper No. \_\_\_\_\_

Filed on behalf of:

By: Cedars-Sinai Medical Center  
Coe A. Bloomberg  
Jerrold B. Reilly  
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Los Angeles, CA 90013-1025  
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**UNITED STATES PATENT AND TRADEMARK OFFICE**

\_\_\_\_\_  
**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
(Administrative Patent Judge Lee)**

\_\_\_\_\_  
SRL, K.K.  
(09/101,132),  
Junior Party,

v.

CEDARS-SINAI MEDICAL CENTER  
(08/981,998),  
Senior Party.

\_\_\_\_\_  
Patent Interference No. 105,170  
\_\_\_\_\_

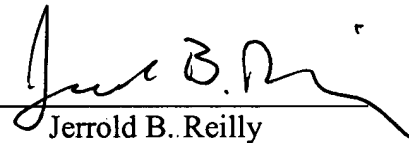
**NOTICE THAT PARTIES HAVE STIPULATED TO EXTEND CERTAIN TIMES FOR  
TAKING ACTIONS IN THE PRELIMINARY MOTION PHASE**

RECEIVED  
2004 MAR 22 PM 3:02  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Pursuant to Part C of the Order Setting Times signed by Administrative Patent Judge Jameson Lee and dated February 11, 2004, the Board is hereby notified that the parties have stipulated to extend Time Periods 1 through 6 from the dates specified in the Appendix to that Order. A photostatic copy of the Appendix, showing old dates crossed out and the stipulated new dates written in, is attached to this Notice.

Respectfully submitted,

JONES DAY

By:   
Jerrold B. Reilly

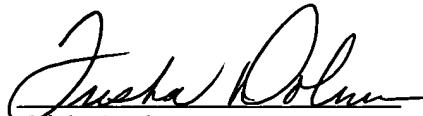
Reg. No. 32,293

Attorneys for Cedars-Sinai Medical Center

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing NOTICE THAT PARTIES HAVE STIPULATED TO EXTEND CERTAIN TIMES FOR TAKING ACTIONS IN THE PRELIMINARY MOTION PHASE was served via facsimile and mail on this 19<sup>th</sup> day of March, 2004 upon:

Gerald M. Murphy, Jr.  
Raymond C. Stewart  
Kecia Reynolds  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road, Suite 100 East  
Falls Church, VA 22042

  
Trisha Dolman

Appendix--ORDER SETTING TIMES  
(Times for taking action--preliminary motion phase)

Interference 105,170 (LEE)

1. TIME PERIOD 1  
Filing preliminary motions  
and preliminary statements  
~~March 24, 2004~~ April 21, 2004 (w)
2. TIME PERIOD 2  
Filing Rule 633(i) and  
Rule 633(j) preliminary  
motions  
~~April 14, 2004~~ May 5, 2004 (w)
3. TIME PERIOD 3  
Filing of oppositions to  
all preliminary motions  
~~May 26, 2004~~ June 14, 2004 (m)
4. TIME PERIOD 4  
Filing of replies  
~~July 7, 2004~~ July 19, 2004 (m)
5. TIME PERIOD 5  
Filing of request for  
oral argument; motions to  
suppress and observations with  
respect to cross-examination  
taken after filing of  
replies  
~~August 18, 2004~~ August 25, 2004 (w)
6. TIME PERIOD 6  
Filing of oppositions to  
motions to suppress and  
any response to observations  
with respect to cross-  
examination  
~~September 8, 2004~~ <sup>10,</sup> September 10, 2004 (F)
7. TIME PERIOD 7  
Filing replies to  
oppositions to motions  
to suppress  
September 22, 2004
8. TIME PERIOD 8  
Filing exhibits,  
sets of preliminary  
motions and zip/CD-ROMs  
September 29, 2004